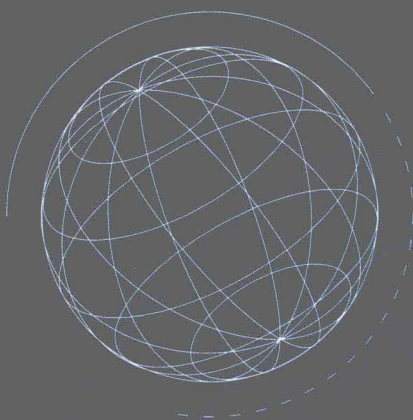




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THE WTO DISPUTE SETTLEMENT REPORTS

The *Dispute Settlement Reports* of the World Trade Organization (the "WTO") include panel and Appellate Body reports, as well as arbitration awards, in disputes concerning the rights and obligations of WTO Members under the provisions of the *Marrakesh Agreement Establishing the World Trade Organization*. The *Dispute Settlement Reports* are available in English. Volumes comprising one or more complete cases contain a cumulative list of published disputes. The cumulative list for cases that cover more than one volume is to be found in the first volume for that case.

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CHINA - MEASURES AFFECTING IMPORTS OF AUTOMOBILE PARTS

Reports of the Appellate Body

WT/DS339/AB/R, WT/DS340/AB/R, WT/DS342/AB/R*

*Adopted by the Dispute Settlement Body
on 12 January 2009*

China, *Appellant*
Canada, *Appellee*
European Communities, *Appellee*
United States, *Appellee*
Argentina, *Third Participant*
Australia, *Third Participant*
Brazil, *Third Participant*
Japan, *Third Participant*
Mexico, *Third Participant*
Separate Customs Territory of
Taiwan, Penghu, Kinmen and
Matsu,
Third Participant
Thailand, *Third Participant*

Bautista, Presiding Member
Hillman, Member
Sacerdoti, Member

* The Appellate Body is issuing these Reports in the form of a single document constituting three separate Appellate Body Reports: WT/DS339/AB/R; WT/DS340/AB/R; and WT/DS342/AB/R. The cover page, preliminary pages, Sections I through VIII, and the Annex are common to the three Reports. The page header throughout the document bears three document symbols: WT/DS339/AB/R, WT/DS340/AB/R, and WT/DS342/AB/R, with the following exceptions: Section IX on pages EC-103 and EC-104, which bears the document symbol for and contains the Appellate Body's findings and conclusions in the Appellate Body Report WT/DS339/AB/R; Section IX on pages US-103 and US-104, which bears the document symbol for and contains the Appellate Body's findings and conclusions in the Appellate Body Report WT/DS340/AB/R; and Section IX on pages CDA-103 and CDA-104, which bears the document symbol for and contains the Appellate Body's findings and conclusions in the Appellate Body Report WT/DS342/AB/R.

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<i>Argentina – Hides and Leather</i>	Panel Report, <i>Argentina – Measures Affecting the Export of Bovine Hides and Import of Finished Leather</i> , WT/DS155/R and Corr.1, adopted 16 February 2001, DSR 2001:V, 1779
<i>Belgium – Family Allowances (allocations familiales)</i>	GATT Panel Report, <i>Belgian Family Allowances</i> , G/32, adopted 7 November 1952, BISD 1S/59
<i>Canada – Autos</i>	Appellate Body Report, <i>Canada – Certain Measures Affecting the Automotive Industry</i> , WT/DS139/AB/R, WT/DS142/AB/R, adopted 19 June 2000, DSR 2000:VI, 2985
<i>Canada – Autos</i>	Panel Report, <i>Canada – Certain Measures Affecting the Automotive Industry</i> , WT/DS139/R, WT/DS142/R, adopted 19 June 2000, as modified by Appellate Body Report, WT/DS139/AB/R, WT/DS142/AB/R, DSR 2000:VII, 3043
<i>Canada – Dairy (Article 21.5 – New Zealand and US II)</i>	Appellate Body Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products – Second Recourse to Article 21.5 of the DSU by New Zealand and the United States</i> , WT/DS103/AB/RW2, WT/DS113/AB/RW2, adopted 17 January 2003, DSR 2003:I, 213
<i>Canada – Dairy</i>	Panel Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products</i> , WT/DS103/R, WT/DS113/R, adopted 27 October 1999, as modified by Appellate Body Report WT/DS103/AB/R, WT/DS113/AB/R, DSR 1999:VI, 2097
<i>Canada – Gold Coins</i>	GATT Panel Report, <i>Canada – Measures Affecting the Sale of Gold Coins</i> , L/5863, 17 September 1985, unadopted
<i>Canada – Wheat Exports and Grain Imports</i>	Appellate Body Report, <i>Canada – Measures Relating to Exports of Wheat and Treatment of Imported Grain</i> , WT/DS276/AB/R, adopted 27 September 2004, DSR 2004:VI, 2739

Short Title	Full Case Title and Citation
<i>China – Auto Parts</i>	Panel Reports, <i>China – Measures Affecting Imports of Automobile Parts</i> , WT/DS339/R, WT/DS340/R, WT/DS342/R, and Add.1 and Add.2, circulated to WTO Members 18 July 2008
<i>EC – Approval and Marketing of Biotech Products</i>	Panel Report, <i>European Communities – Measures Affecting the Approval and Marketing of Biotech Products</i> , WT/DS291/R, WT/DS292/R, WT/DS293/R, Add.1 to Add.9, and Corr.1, adopted 21 November 2006, DSR 2006:III-VIII
<i>EC – Bed Linen (Article 21.5 – India)</i>	Panel Report, <i>European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India – Recourse to Article 21.5 of the DSU by India</i> , WT/DS141/RW, adopted 24 April 2003, as modified by Appellate Body Report WT/DS141/AB/RW, DSR 2003:IV, 1269
<i>EC – Chicken Cuts</i>	Appellate Body Report, <i>European Communities – Customs Classification of Frozen Boneless Chicken Cuts</i> , WT/DS269/AB/R, WT/DS286/AB/R, adopted 27 September 2005, and Corr.1, DSR 2005:XIX, 9157
<i>EC – Computer Equipment</i>	Appellate Body Report, <i>European Communities – Customs Classification of Certain Computer Equipment</i> , WT/DS62/AB/R, WT/DS67/AB/R, WT/DS68/AB/R, adopted 22 June 1998, DSR 1998:V, 1851
<i>EC – Hormones</i>	Appellate Body Report, <i>EC Measures Concerning Meat and Meat Products (Hormones)</i> , WT/DS26/AB/R, WT/DS48/AB/R, adopted 13 February 1998, DSR 1998:I, 135
<i>EEC – Parts and Components</i>	GATT Panel Report, <i>European Economic Community – Regulation on Imports of Parts and Components</i> , L/6657, adopted 16 May 1990, BISD 37S/132
<i>Greece – Import Taxes</i>	GATT Panel Report, <i>Special Import Taxes Instituted by Greece</i> , G/25, adopted 3 November 1952, BISD 1S/48
<i>India – Additional Import Duties</i>	Appellate Body Report, <i>India – Additional and Extra-Additional Duties on Imports from the United States</i> , WT/DS360/AB/R, adopted 17 November 2008

Short Title	Full Case Title and Citation
<i>India – Autos</i>	Panel Report, <i>India – Measures Affecting the Automotive Sector</i> , WT/DS146/R, WT/DS175/R and Corr.1, adopted 5 April 2002, DSR 2002:V, 1827
<i>India – Patents (US)</i>	Appellate Body Report, <i>India – Patent Protection for Pharmaceutical and Agricultural Chemical Products</i> , WT/DS50/AB/R, adopted 16 January 1998, DSR 1998:I, 9
<i>India – Patents (US)</i>	Panel Report, <i>India – Patent Protection for Pharmaceutical and Agricultural Chemical Products, Complaint by the United States</i> , WT/DS50/R, adopted 16 January 1998, as modified by Appellate Body Report, WT/DS50/AB/R, DSR 1998:I, 41
<i>Japan – Alcoholic Beverages II</i>	Appellate Body Report, <i>Japan – Taxes on Alcoholic Beverages</i> , WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, adopted 1 November 1996, DSR 1996:I, 97
<i>US – 1916 Act (Japan)</i>	Panel Report, <i>United States – Anti-Dumping Act of 1916, Complaint by Japan</i> , WT/DS162/R and Add.1, adopted 26 September 2000, upheld by Appellate Body Report, WT/DS136/AB/R, WT/DS162/AB/R, DSR 2000:X, 4831
<i>US – Anti-Dumping Measures on Oil Country Tubular Goods</i>	Appellate Body Report, <i>United States – Anti-Dumping Measures on Oil Country Tubular Goods (OCTG) from Mexico</i> , WT/DS282/AB/R, adopted 28 November 2005, DSR 2005:XX, 10127
<i>US – Carbon Steel</i>	Appellate Body Report, <i>United States – Countervailing Duties on Certain Corrosion-Resistant Carbon Steel Flat Products from Germany</i> , WT/DS213/AB/R and Corr.1, adopted 19 December 2002, DSR 2002:IX, 3779
<i>US – Corrosion-Resistant Steel Sunset Review</i>	Appellate Body Report, <i>United States – Sunset Review of Anti-Dumping Duties on Corrosion-Resistant Carbon Steel Flat Products from Japan</i> , WT/DS244/AB/R, adopted 9 January 2004, DSR 2004:I, 3
<i>US – Corrosion-Resistant Steel Sunset Review</i>	Panel Report, <i>United States – Sunset Review of Anti-Dumping Duties on Corrosion-Resistant Carbon Steel Flat Products from Japan</i> , WT/DS244/R, adopted 9 January 2004, as modified by Appellate Body Report, WTDS244/AB/R, DSR 2004:I, 85

Short Title	Full Case Title and Citation
<i>US – FSC</i>	Appellate Body Report, <i>United States – Tax Treatment for "Foreign Sales Corporations"</i> , WT/DS108/AB/R, adopted 20 March 2000, DSR 2000:III, 1619
<i>US – FSC (Article 21.5 – EC)</i>	Appellate Body Report, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS108/AB/RW, adopted 29 January 2002, DSR 2002:I, 55
<i>US – Gambling</i>	Appellate Body Report, <i>United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services</i> , WT/DS285/AB/R, adopted 20 April 2005, DSR 2005:XII, 5663, and Corr.1
<i>US – Gasoline</i>	Appellate Body Report, <i>United States – Standards for Reformulated and Conventional Gasoline</i> , WT/DS2/AB/R, adopted 20 May 1996, DSR 1996:I, 3
<i>US – Offset Act (Byrd Amendment)</i>	Appellate Body Report, <i>United States – Continued Dumping and Subsidy Offset Act of 2000</i> , WT/DS217/AB/R, WT/DS234/AB/R, adopted 27 January 2003, DSR 2003:I, 375
<i>US – Section 211 Appropriations Act</i>	Appellate Body Report, <i>United States – Section 211 Omnibus Appropriations Act of 1998</i> , WT/DS176/AB/R, adopted 1 February 2002, DSR 2002:II, 589
<i>US – Shrimp</i>	Appellate Body Report, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products</i> , WT/DS58/AB/R, adopted 6 November 1998, DSR 1998:VII, 2755
<i>US – Softwood Lumber IV</i>	Appellate Body Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada</i> , WT/DS257/AB/R, adopted 17 February 2004, DSR 2004:II, 571

Short Title	Full Case Title and Citation
<i>US – Softwood Lumber IV</i> (Article 21.5 – Canada)	Appellate Body Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada – Recourse by Canada to Article 21.5 of the DSU</i> , WT/DS257/AB/RW, adopted 20 December 2005, DSR 2005:XXIII, 11357
<i>US – Upland Cotton</i> (Article 21.5 – Brazil)	Appellate Body Report, <i>United States – Subsidies on Upland Cotton – Recourse to Article 21.5 of the DSU by Brazil</i> , WT/DS267/AB/RW, adopted 20 June 2008

ABBREVIATIONS USED IN THESE REPORTS

Abbreviation	Description
Announcement 4	Rules on Verification of Imported Automobile Parts Characterized as Complete Vehicles (Public Announcement of the Customs General Administration of the People's Republic of China, No. 4 of 2005), which entered into force on 1 April 2005 (Panel Exhibits JE-28 and CHI-4). The English translation of Announcement 4, as agreed by the parties, is contained in Annex E-3 to the Panel Reports.
appellees	The European Communities, the United States, and Canada
Canada Panel Report	Panel Report, <i>China – Measures Affecting Imports of Automobile Parts</i> , Complaint by Canada, WT/DS342/R
CCC	Customs Co-operation Council
CGA	General Administration of Customs
China's Accession Protocol	Protocol on the Accession of the People's Republic of China, WT/L/432
China's Accession Working Party Report	Report of the Working Party Report on the Accession of China, WT/ACC/CHN/49 and Corr.1
China's Schedule of Concessions	Schedule CLII – People's Republic of China (Part I – Schedule of Concessions and Commitments on Goods), attached as Annex 8 to China's Accession Protocol, WT/ACC/CHN/49/Add.1
CKD	completely knocked down
complainants	The European Communities, the United States, and Canada
Decree 125	Administrative Rules on Importation of Automobile Parts Characterized as Complete Vehicles (Decree of the People's Republic of China General Administration of Customs, National Development and Reform Commission, the Ministry of Finance, and the Ministry of Commerce, No. 125), which entered into force on 1 April 2005 (Panel Exhibits JE-27 and CHI-3). The English translation of Decree 125, as agreed by the parties, is contained in Annex E-2 to the Panel Reports.
DSB	Dispute Settlement Body

Abbreviation	Description
DSU	<i>Understanding on Rules and Procedures Governing the Settlement of Disputes</i>
EC Panel Report	Panel Report, <i>China – Measures Affecting Imports of Automobile Parts</i> , Complaint by the European Communities, WT/DS339/R
GATT 1994	<i>General Agreement on Tariffs and Trade 1994</i>
GIR 2(a)	Rule 2(a) of the General Rules for the Interpretation of the Harmonized System, which provides: Any reference in a heading to an article shall be taken to include a reference to that article incomplete or unfinished, provided that, as presented, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this Rule), presented unassembled or disassembled.
1995 HS Committee Decision	Decision of the Harmonized System Committee, HSC 39.235 (HSC/15), Interpretation of General Interpretative Rule 2(a) (Annex IJ/7 to Doc. 39.600 E (HSC/16/Nov. 95)) (Panel Exhibit CHI-29).
Harmonized System	Harmonized Commodity Description and Coding System
<i>Harmonized System Convention</i>	<i>International Convention on the Harmonized Commodity Description and Coding System</i> , done at Brussels, 14 June 1983, 1503 UNTS 167
Measures at Issue	Policy Order 8, Decree 125, and Announcement 4
NDRC	National Development and Reform Commission
Panel Reports	Panel Reports, <i>China – Measures Affecting Imports of Automobile Parts</i> , WT/DS339/R, WT/DS340/R, WT/DS342/R
Policy Order 8	Policy on Development of the Automotive Industry (Order of the National Development and Reform Commission (No. 8)), which entered into force on 21 May 2004 (Panel Exhibits JE-18 and CHI-2 (Chapter XI)). The English translation of Policy Order 8, as agreed by the parties, is contained in Annex E-1 to the Panel Reports.
Public Bulletin	<i>Public Bulletin on On-Road Motor Vehicle Manufacturers and Products</i>